

condition for allowance. Applicants have also amended claims 1-4 to improve grammatical clarity, and not for any reasons related to patentability.

With regard to the rejections of claims 1 and 2, as the Examiner stated on Page 2 of the Office Action, Sonobe does not disclose the claimed invention because Sonobe "lacks the press fit contact exposed from the first surface." However, the Examiner then went on to say that "it would have been an obvious matter of design to make" the exposed contact 131, 141 of Sonobe protrude from the top surface of the connector body 100 "for better facility contact with the cable in different position" and because "such a modification would have involved a mere change in size of a component" and that "a change in size is generally recognized as being within the level of ordinary skill in the art." In rejecting claim 4, the Examiner stated on Page 3 of the Office Action that "it would have been obvious to one having ordinary skill at the time of the invention was made to modify the retainer plate 110 of Sonobe by providing the hinge 167 as disclosed by Belanger so as to accommodate "a flat wire in a right position between the cover and the housing."

Applicant respectfully notes that "the examiner bears the initial burden, on review of the prior art on any other ground, of presenting a *prima facie* case of unpatentability." In re Oetiker, 24 U.S.P.Q.2d 1443, 1444 (Fed. Cir. 1992) (Emphasis original). To establish a *prima facie* case of unpatentability, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings. M.P.E.P. §2143.

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Furthermore, the teaching or suggestion to make the claimed combination must be found in the prior art, not in Applicant's disclosure. In Re Vaeck, 947 F.2d 488, 493, 20 U.S.P.Q.2d 1438, 1442 (Fed. Cir. 1991). Additionally, the evidence of a teaching, suggestion, or motivation to combine must be "clear and particular." In Re Dembiczak, 175 F.3d 994, 999 (Fed. Cir. 1999). As will be described below, modifying the cited references as suggested by the Examiner is improper.

With regard to the Examiner's first stated motivation that modifying Sonobe as suggested by the Examiner would "better facility contact with the cable in different position," Applicant asserts that this is an improper conclusory statement that is insufficient to establish a *prima facie* case of obviousness. The Examiner has failed to explain, and Applicant fails to see, how and why modifying Sonobe as suggested would "better facility contact with the cable in different position." Accordingly, this alleged motivation is neither "clear and particular," as required by In Re Dembiczak, 175 F.3d at 999, nor found in the prior art, as required by In Re Vaeck, 947 F.2d at 493. Thus, the rejection of claims 1 and 2 on these grounds is improper.

In fact, Applicant asserts that Sonobe teaches against modifying the reference as suggested by the Examiner. For example, the conductor contact areas 21, 31 are held against the contacts 131, 141 on the connector body 100 by a pair of opposing plate pieces 111 and 112 acting as leaf springs. (Col. 3, lines 8-20) Sonobe does not disclose such a corresponding feature on the top portion of the retainer plate 110, thus, Sonobe does not disclose a way to ensure the conductor contact areas 21, 31 would be held against the contacts 131, 141 that would allegedly be on top of the connector body 100. Accordingly, one of ordinary skill in the art would not be motivated to modify

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Sonobe as suggested by the Examiner. In addition, the conductor contact areas 21, 31 are disclosed as being configured so as to come into contact with the sides of the connector body 100, with a piece of the insulating cover layer 40 specifically covering cable portions that would correspond to the top portion of the connector body 100. (Figs. 1, 4, 5). As Sonobe does not disclose removing the insulating cover layer 40 so as to expose conductor contact areas 21, 31 that would correspond with contacts 131, 141 allegedly on top of the connector body 100, an electrical connection between the cable and the contacts 131, 141 cannot be made through the insulation. Thus, again, there is no motivation to modify Sonobe in a manner that could render obvious the claimed invention. Accordingly, because Sonobe teaches against modifying the reference as suggested by the Examiner, Applicant respectfully requests allowance of independent claim 1 and its dependent claims 2 and 4.

With regard to the Examiner's second stated motivation that modifying Sonobe would be obvious because "such a modification would have involved a mere change in size of a component," Applicant fails to see how modifying the reference as suggested by the Examiner would result in a change in size, or why such a change in size would be desirable. Accordingly, because the Examiner has failed to meet the burden of showing a proper motivation for modifying Sonobe, Applicant respectfully requests allowance of independent claim 1 and its dependent claims 2 and 4.

With regard to claim 4 and the Examiner's stated motivation for modifying Sonobe in view of Belanger, Applicant asserts that the stated motivation that the modification of Sonobe in view of Belanger will allegedly accommodate "a flat wire in a right position between the cover and housing" is not a motivation at all, but instead is

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nothing more than a conclusory end result. As stated in In Re Vaeck, 947 F.2d at 493, the motivation **cannot** be found in Applicant's disclosure, which is what appears to have occurred here. The Examiner has improperly taken the Applicant's disclosure and a good bit of hindsight to simply state that modifying the retainer plate 110 of Sonobe to include the hinge 167 of Belanger will allegedly result in the claimed invention. In addition, Applicant fails to see how modifying Sonobe in view of Belanger could result in the flat wire being accommodated "in a right position between the cover and housing," as it is unclear what is meant by a "right position." Accordingly, because the Examiner has failed to meet the burden of showing a proper motivation for modifying Sonobe in view of Belanger, Applicant respectfully requests allowance of claim 4.

Applicant also presents new claims 5-8 that are directed to an aspect of the present invention. New independent claim 5 recites a connection structure for connecting a flat cable to a connector having a connector housing protruding from a base plate. The connector housing includes a first surface in a plane different from the base plate and a pair of side surfaces each adjacent to the first surface. The connection structure also includes a plurality of terminals in the connector housing having retaining contacts on the first surface, a flat cable having a plurality of conductors in contact with the retaining contacts, and a cover covering the first surface and the side surfaces of the connector housing, the cover holding the flat cable adjacent to the first surface and side surfaces.

None of the cited prior art references, either individually or in combination, teaches or suggests every aspect of the claimed invention. For example, the cited prior art references, either individually or in combination, do not teach or suggest any

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connection structure having the claimed features, including "a plurality of terminals in the connector housing having retaining contacts on the first surface" either individually or in combination with other aspects of the claimed invention. Accordingly, Applicant believes independent claim 5, and its respective dependent claims 6-8, are in condition for allowance.

In view of the foregoing amendments and remarks, Applicant respectfully requests the reconsideration and reexamination of this application and the timely allowance of the pending claims.

The Office Action contains characterizations of the claims and the related art with which Applicant does not necessarily agree. Unless expressly noted otherwise, Applicant declines to subscribe to any statement or characterization in the Office Action.

In discussing the specification, claims, abstract, and drawings in this Amendment, it is to be understood that Applicant is in no way intending to limit the scope of the claims to any exemplary embodiments described in the specification or abstract and/or shown in the drawings. Rather, Applicant believes that Applicant is entitled to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

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Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: June 19, 2003

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APPENDIX TO AMENDMENT OF JUNE 19, 2003
VERSION WITH MARKINGS TO SHOW CHANGES MADE

Amendments to the Claims

Please amend claims 1-4 as follows:

1. (Amended) A connection structure for connecting [of] a flat cable
[connected] to a connector, comprising:
 - a connector housing protruding[ed] from a base plate [thereof], comprising:
 - a first surface substantially parallel to the base plate; and
 - a pair of side surfaces on both sides of the first surface;
 - a plurality of terminals housed in the connector housing each having a press-fit contact exposed from the first surface;
 - a flat cable having a plurality of conductors each in contact with the respective press-fit contact [respectively]; and
 - a cover covering the first surface and the side surfaces of the connector housing;
wherein the flat cable is curved along the first surface and the side surfaces by the cover so as to be in contact with the press-fit contacts;
2. (Amended) [A] The connection structure of [a flat cable connected to a connector according to] claim 1, further comprising:
 - a pair of slits between the cover and the base plate [so] that allows a direction of the flat cable therefrom [is allowed] to be regulated.

3. (Amended) A connection structure for connecting [of] a flat cable
[connected] to a connector [according to claim 2], [wherein:] comprising:
- a connector housing protruding from a base plate comprising:
 - a first surface substantially parallel to the base plate; and
 - a pair of side surfaces on both sides of the first surface;
 - a plurality of terminals housed in the connector housing each having a press-fit
contact exposed from the first surface;
 - a flat cable having a plurality of conductors each in contact with the respective
press-fit contact;
 - a cover covering the first surface and the side surfaces of the connector housing;
 - and
 - a pair of slits between the cover and the base plate that allows a direction of the
flat cable therefrom to be regulated;
 - wherein the flat cable is curved along the first surface and the side surfaces by
the cover so as to be in contact with the press-fit contacts;
 - wherein the base plate further comprises a pair of grooves each communicating
with the respective slit and having a width which broadens toward each end of the base
plate; and
 - wherein the grooves house the flat cable.
4. (Amended) [A] The connection structure of [a flat cable connected to a
connector according to] claim 1, wherein;
- the cover is integrally connected with the connector housing by a hinge.